APPENDIX.

Code of Tennessee

8989. *When granted.*—The writ of certiorari may be granted whenever authorized by law, and also in all cases where an inferior tribunal, board, or officer exercising judicial functions has exceeded the jurisdiction conferred, or is acting illegally, when, in the judgment of the court, there is no other plain, speedy, or adequate remedy.

Code of Tennessee

8990. *For what.*—Certiorari lies: (1) On suggestion of diminution; (2) where no appeal is given; (3) as a substitute for appeal; (4) instead of audita querela; (5) instead of writ of error.

Code of Tennessee

8998. *Supersedeas.*—The clerk shall also issue a writ of supersedeas in all necessary cases, directed to the opposite party, or the officer in whose hands the execution may be, which shall effectually supersede all further proceedings thereon.

Code of Tennessee

9008. *Mode of review of actions of boards or commissions.*—Anyone who may be aggrieved by any final order or judgment of any board or commission functioning under the laws of this state may have said order or judgment reviewed by the courts, where not otherwise specifically provided, in the following manner:

(1) Such party shall, within sixty days from the entry of the order or judgment, file a petition of certiorari in the chancery court of any county in which any one or more of the petitioners, or any one or more of the material defendants reside, or have their principal office, stating briefly the issues involved in the cause, the substance of the order or judgment complained of, of the respects in which the petitioner claims the order or judgment is erroneous, and praying for an accordant review.

(2) The petition shall be addressed to the presiding chancellor and shall name as defendants the particular board or commission, and such other parties of record, if such, as were involved in the hearing before the board or commission, and who do not join as petitioners.

Code of Tennessee

9014. *Hearing.*—At the expiration of ninety days from the filing of said transcript, the cause shall stand for trial, and shall be heard and determined at the earliest practical date, as one having precedence over other litigation, except suits involving state, county or municipal revenue. The hearing shall be on the proof introduced before the board or commission contained in the transcript, and upon such other evidence as either party may desire to introduce; provided, that all proof shall be taken and filed within seventy-five days from the date upon which the transcript was filed, and said period for taking depositions shall not be extended by the court without application made in writing under oath, showing good cause for the extension or continuance. The chancellor shall reduce his findings of fact and conclusions of law to writing and make them parts of the record.

Code of Tennessee

9015. *Appeal.*—Any party dissatisfied with the decree of the court may, upon giving bond as required by law in other chancery causes, appeal to the supreme court, where the cause shall be heard upon the transcript of the record from the chancery court. Said appeal shall be advanced upon the docket of the supreme court as one of such precedence, and heard as promptly as practicable.

Code of Tennessee

9017. *Supersedeas.*—If the order or judgment rendered by such board or commission made the basis of the petition for certiorari shall make any material change in the status of any matter determined therein, the petitioner may, upon reasonable notice to the board or commission and other material defendants, apply to the chancellor, at the time of

filing the said petition, for a supersedeas, and the chancellor, in his discretion, may grant a writ of supersedeas to stay the putting into effect of said order or judgment or any part thereof. No such supersedeas shall be granted until a good and sufficient bond, in an amount to be fixed and approved by the chancellor, shall have been given by the petitioner, conditioned to indemnify the defendants named in the petition from any injury that may result by reason of the granting of said supersedeas.